

The Honorable James L. Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LESLIE JACK, individually and as Personal
Representative of PATRICK JACK; DAVID JACK,
Individually,

Plaintiffs,

v.

ASBESTOS CORPORATION LTD., et al.,

Defendants.

NO. 2:17-cv-00537 JLR

DEFENDANT DCo LLC'S STIPULATION AND
~~PROPOSED~~ ORDER FOR EXTENSION OF
TIME TO EXTEND TO TAKE THE
DEPOSITION OF DCo LLC'S CORPORATE
REPRESENTATIVE

Counsel for Defendant DCo, LLC, formerly known as Dana Companies, LLC (hereinafter "DCo") and counsel for Plaintiffs Leslie Jack and David Jack, hereby stipulate to an extension of time beyond the current discovery cutoff of June 18, 2018 to June 30, 2018 to conduct the deposition of DCo corporate representative Marcy Duncan. By agreement Plaintiffs scheduled Ms. Duncan's deposition in this matter for June 5, 2018. Ms. Duncan was unable to present for the deposition as she was involved in an accident and was hospitalized a few days before June 5th.

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FOR EXTENSION OF TIME TO TAKE THE DEPOSITION
OF DCo'S CORPORATE REPRESENTATIVE - 1 of 6
(2:17-cv-00537 JLR)
[4815-5854-7048]

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Assuming Ms. Duncan is cleared to travel to Seattle and testify, DCo intends to call Ms. Duncan to testify in person at trial. DCo counsel and Plaintiff counsel are cooperating in re-setting the deposition, with expectation that it can go forward on or before June 30, 2018. However, Ms. Duncan is scheduled for medical follow up on June 18th and the parties must delay setting the actual date for the deposition until after June 18th.

Accordingly, should Ms. Duncan not be cleared for her deposition on or before June 30, 2018, the parties will seek Court approval of a further extension of the discovery deadline so that her deposition may be taken prior to testifying at trial.

Further, though not anticipated at this time, should Ms. Duncan not be cleared for deposition or trial appearance, DCo will promptly make available another witness to testify as its corporate representative and will seek court approval to further extend the discovery cut-off to allow the deposition to proceed.

DCo notified all defendants of this stipulation and proposed order with no objections.

Dated this 11th day of June, 2018.

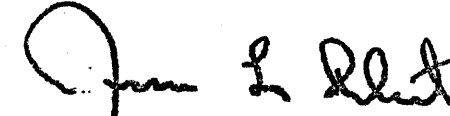
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Attorneys for Defendant DCo LLC	Attorneys for Plaintiffs

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ORDER

Based on the foregoing Stipulation, it is hereby ORDERED that the discovery deadline for the deposition of DCo's corporate representative, Marcy Duncan be extended to July 30, 2018.



HONORABLE JAMES L. ROBART

Presented by:

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By /s/ Diane J. Kero

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CERTIFICATE OF SERVICE

I, Sarah Campbell, hereby certify that on June 11, 2018, the foregoing was electronically filed with the Clerk of the U.S. District Court for the Western District of Washington at Seattle using the CM/ECF system, which will send notification to all parties of record.

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